

IN RE: PETITION FOR VARIANCE
N/S Long Green Road, 1350' E of
the c/l of Manor Road
(4536 Long Green Road)
11th Election District
6th Councilmanic District

Vali Hasan
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-430-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 4536 Long Green Road, located in the vicinity of Long Green Valley in Glen Arm. The Petition was filed by the Contract Purchasers of the subject property, Vali and Kim Hasan. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 30 feet in lieu of the required 50 feet for a proposed addition. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were the Contract Purchasers, Vali and Kim Hasan. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 2.5 acres, more or less, zoned R.C. 5, and is improved with an old farm house, approximately 150 years of age. The Petitioners are desirous of renovating the existing building and constructing an addition thereon for residential use. Testimony revealed that the existing farm house is only 12 feet wide and that the proposed addition will provide a width of 24 feet. The Petitioners testified that the property has been abandoned for approximately three years and is in deplorable condition. Testimony indicated that other residents in the community are in favor of the Peti-

tioners renovating the property as proposed. Due to the location of the existing building on the property, the proposed addition will be located within the required 50-foot lot line setback, and thus, the requested variance is necessary.

The B.C.Z.R., specifically Section 307.1, established a two-step process for the granting of variances. That two-step process was addressed and identified by the Court of Special Appeals in the case of Cromwell v. Ward, 102 Md. App. 691 (1995). The opinion in that case, issued January 4, 1995 and authored by the Honorable J. Cathell, interpreted our regulations to require the applicant to establish the following:

First, the Applicant (Petitioner) must prove, and this Deputy Zoning Commissioner must find, that the "property whereon structures are to be placed (or uses conducted) is -- in and of itself-- unique and unusual in a manner different from the nature of surrounding properties such that the uniqueness and peculiarity of the subject property causes the zoning provision to impact disproportionately upon that property."

I find from the testimony and evidence presented in this case that the subject property is unique, unusual and different from properties which surround the subject site so as to cause this applicable zoning provision to impact disproportionately upon this particular parcel of land.

Having satisfied this "first step" the Applicant (Petitioner) must proceed to the "second step" of this variance process, which is to show that strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

The practical difficulty or unreasonable hardship guidelines that have been imposed by the Baltimore County Zoning Regulations (B.C.Z.R.) have been thoroughly examined and discussed by the appellate courts of

ORDER RECEIVED FOR FILING

Date

By

this State. In Loyola Federal Savings and Loan Association v. Buschman, 227 Md. 243, 176 A.2d 355 (1961), the Court of Appeals considered the identical regulation to Section 307.1 of the B.C.Z.R.

As the Court noted: "Section 307 of the Regulations uses the two terms (practical difficulty or unreasonable hardship) in the disjunctive." Loyola Federal, p. 358. Thus, by the use of the term "or", Section 307 offers the Petitioner an opportunity to obtain its variance upon satisfaction of either the undue hardship or practical difficulty standard.

The distinction between these standards was clarified by the Court of Special Appeals in Anderson v. Board of Appeals, Town of Chesapeake Beach, 22 Md. App. 28, 322 A.2d 220 (1974). Within that opinion, the Court held that the undue hardship standard applies to a petition for a use variance. The Court noted that a use variance, which permits a use on the property other than that specifically permitted in that particular district, requires the imposition of a higher standard. That is, to allow the change of use for a particular property requires the Petitioner to demonstrate real hardship, where the land cannot allow a reasonable return if used only in accordance with the use restrictions of the ordinance.

Compared with this heavy burden, the Court reviewed the practical difficulty standard applicable for area variances. The Court characterized area variances as having a much less drastic effect than use variances, in that they seek relief only from height, area, setback, or side property line restrictions and would not affect the property's use, per se. The Court envisioned the impact of area variances on the surrounding locale to be less than that generated by use variances, and thus, the lesser practical difficulty standard applies. The prongs of that standard which must

be satisfied by the Petition, as enunciated in Anderson, supra, are as follows:

1) whether compliance with the strict letter of restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome;

2) whether a grant of the variance applied for would do substantial justice to applicant as well as to other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson, p. 39. See also McLean v. Soley, 270 Md. 208 (1973) at pps. 214-215.

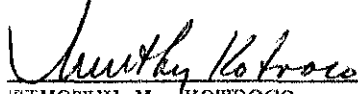
I find from the testimony and evidence presented at the hearing before me that the Applicants have in fact proven the practical difficulty standards as set forth above and that the variance requested should be granted. I further find that the granting of this variance is in strict harmony with the spirit and intent of the B.C.Z.R. and that the granting of this relief is accomplished without injury to the public health, safety or general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of July, 1995 that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 30 feet in lieu of

the required 50 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore county

TMK:bjs

ORDER RECEIVED FOR FILING

Date 7/2/95
By [Signature]

RECEIVED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 12, 1995

Mr. & Mrs. Vali Hasan
80-01 101 Avenue
Ozone Park, New York 11416

RE: PETITION FOR VARIANCE
N/S Long Green Road, 1350' E of the c/l of Manor Road
(4536 Long Green Road)
11th Election District - 6th Councilmanic District
Vali Hasan - Petitioner
Case No. 95-430-A

Dear Mr. & Mrs. Hasan:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

✓
File





Petition for Variance

95-430-A
to the Zoning Commissioner of Baltimore County

for the property located at

4536 LONG GREEN RD
which is presently zoned RE-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1A 04.3-B.3, BL2R, TO PERMIT A LOT LINE SETBACK OF 30' IN LINE OF THE PROPOSED 50'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

THE EXISTING STRUCTURE IS 150 YEARS OLD. THE EXISTING BUILDING IS BUILT WITH IN THE SETBACK LIMITS (A GRAND FATHERED SITUATION)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

VALI HASAN
(Type or Print Name)

Signature

80-01 101 AVE
Address

020112-1014 N.Y. 11416
City State Zipcode

Attorney for Petitioner
Tel: 410 625-0007

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address Phone No

City State Zipcode
Name, Address and phone number of representative to be contacted

VALI HASAN
Name

SAME
Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: gm DATE: 5-25-95

424

ORDER RECEIVED FOR FILING

Date



Printed with Soybean Ink
on Recycled Paper



95-430-A

EXAMPLE 3 - Zoning Description

- 3 copies

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 4536 LONG GREEN RD LONG GREEN MD
(address) 21092

Beginning at a point on the N side of LONG GREEN RD.
(north, south, east or west) (name of

street on which property fronts) which is 30'
(number of feet of right-of-way width)

wide at the distance of 1350' ~~to~~ (TO PRIVATE RD) of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street LONG GREEN RD
MANOR RD. (name of street)

which is 30' wide. *Being Lot # 1,
(number of feet of right-of-way width)

Block , Section # in the subdivision of LONG GREEN VALLEY
(name of subdivision)

as recorded in Baltimore County Plat Book # 31, Folio # 3, containing

2.5 Also known as LONG GREEN RD. LONG GREEN MD
(square feet or acres) (property address) 21092

and located in the 11 Election District, 6 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber 31, Folio 3" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

424

WILKINSON

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-430-12

District 11th Date of Posting 6/8/95

Posted for: Varianco

Petitioner: Wali Hasan

Location of property: 4536 Long Green Rd

Location of Signs: Facing road way on property being zoned

Remarks: _____

Posted by M. H. H. H. Date of return: 6/16/95

Signature

Number of Signs: 1



MICROFILMED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:
95-430-A (Item 424)
4536 Long Green Road
N/9 Long Green Road,
1350' +/- E of c/ Manor Rd.

11th Election District
6th Councilmanic

Contract Purchaser(s):
Vail Hasan

HEARING: TUESDAY
JUNE 27, 1995 at 9:00 a.m.
in Rm. 118, Old
Courthouse.

Variance: to permit a lot line setback of 30 feet in lieu of the required 50 feet.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Hand-icapped accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

6/119 June 8.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

6/8, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/8, 1995.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. TOWSON

~~Publisher~~



Baltimore County
Zoning Administration &
Development Management
311 West Chesapeake Avenue
Towson, Maryland 21204

~~424~~ 420

receipt

95-430-A

Account: R-001-6150

Number JLM

Date 5-24-95

UALI HASAN _____ 4536 LONG-
GREEN RD.

~~Amount~~ VAR. (010) _____ 50.00

POSTING (080) _____ 35.00

85.00

NOT RECORDED

CK# 0151

03A058004745CHRC

105.00

00 00M 100PM05-24-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Fowson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 424

Petitioner: KIM AND S. VALI HASAN

Location: 4536 LONG GREEN RD LONG GREEN MD 21092

PLEASE FORWARD ADVERTISING BILL TO:

NAME: KIM HASAN

ADDRESS: 80-01 107 AVE OZONE PARK
NEW YORK 11416

PHONE NUMBER: 718-835-0322 OR 410-625-0007

AJ:ggs

(Revised 04/09/93)



TO: PUTNAM PUBLISHING COMPANY
June 8, 1995 Issue - Jeffersonian

Please forward billing to:

Vali Hasan
135 - 137 W. North Avenue
Baltimore MD 21201
625-0007

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-430-A (Item 424)
4536 Long Green Road
N/S Long Green Road, 1350' +/- E of c/l Manor Road
11th Election District - 6th Councilmanic
Legal Owner(s): ????
Contract Purchaser(s): Vali Hasan
HEARING: TUESDAY, JUNE 27, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to permit a lot line setback of 30 feet in lieu of the required 50 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 1, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-430-A (Item 424)
4536 Long Green Road
N/S Long Green Road, 1350'+/- E of c/l Manor Road
11th Election District - 6th Councilmanic
Legal Owner(s): ????
Contract Purchaser(s): Vali Hasan
HEARING: TUESDAY, JUNE 27, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to permit a lot line setback of 30 feet in lieu of the required 50 feet.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Vali Hasan

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 20, 1995

Mr. Vali Hasan
80-01 101 Avenue
Ozone Park, New York 11416

RE: Item No.: 424
Case No.: 95-430-A
Petitioner: Vali Hasan

Dear Mr. Hasan:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 25, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: June 15, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 4536 Long Green Road

INFORMATION:

Item Number: 424

Petitioner: Vali Hasan

Property Size: _____

Zoning: RC-5

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to permit a setback of 35' in lieu of the required 50'.

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject variance.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Kern

PK/JL

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson 
Development Coordinator, DEPRM

SUBJECT: Zoning Item #424 - Vali Hasan
4536 Long Green Road
Zoning Advisory Committee Meeting of June 5, 1995

VALI/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: June 12, 1995
 Zoning Administration and Development Management

FROM: *Pub* Robert W. Bowling, P.E., Chief
 Developers Engineering Section

RE: Zoning Advisory Committee Meeting
 for June 12, 1995
 Items 420, 421, (424), and 426

The Developers Engineering Section has reviewed
the subject zoning item and we have no comments.

RWB:sw

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 06/08/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JUNE 5, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 420, 421, 424 AND 427. ✓

RECEIVED

JUN 9 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer

Secretary

Hal Kassoff

Administrator

6-6-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County

Item No.: 424 (JCM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: May 25, 1995

TO: Hearing Officer

FROM: Joseph C. Merrey
ZADM, Planner I

SUBJECT: Item #424
4536 Long Green Road

Applicant advised that legal owner must sign. Mr. Hasan advised that he will be legal owner prior to hearing and he will sign at that time.

JCM:scj

PETITION PROBLEMS AGENDA OF JUNE 5, 1995

#420 --- JRF

1. Notary section is incorrect.

#421 --- MJK

1. Front of petition form has one signature; back of petition form has two signatures. One or two legal owners -- which is correct?

#424 --- JCM

1. No legal owner's name, signature, address, telephone number on petition form. (See JCM's memo in file.)

#426 --- JJS

1. Zoning on top of petition form does not agree with zoning on folder.

#427 --- JJS

1. Need typed or printed name and title of person signing for legal owner.

6/5/95

RE: PETITION FOR VARIANCE * BEFORE THE
4536 Long Green Road, N/S Long Green Rd, *
1350'+/- E of c/l Manor Road, 11th * ZONING COMMISSIONER
Election District, 6th Councilmanic *
Legal Owner(s): ??? * OF BALTIMORE COUNTY
Contract Purchaser(s): Vali Hasan *
Petitioners * CASE NO. 95-430-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of June, 1995, a copy of the foregoing Entry of Appearance was mailed to Vali Hasan, 80-01 101 Avenue, Ozone Park, NY 11416, Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1531 LONG GREEN

SUBDIVISION NAME: KARL HEINLEIN JR PLAT

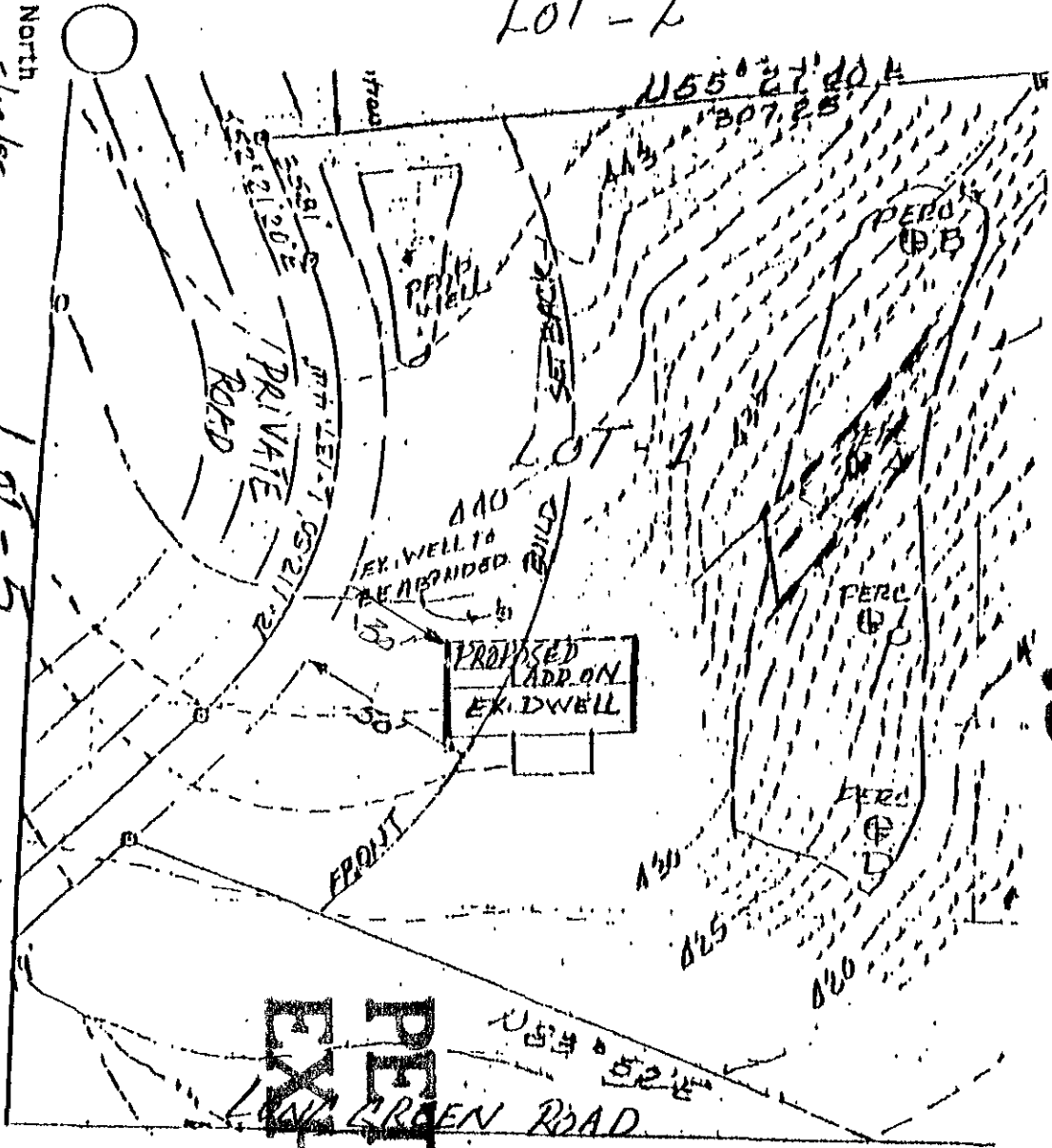
PLAT BOOK: 31 JOLLY 3 JUNE 1 SECTION

OWNER: TOMMY H. HAYES

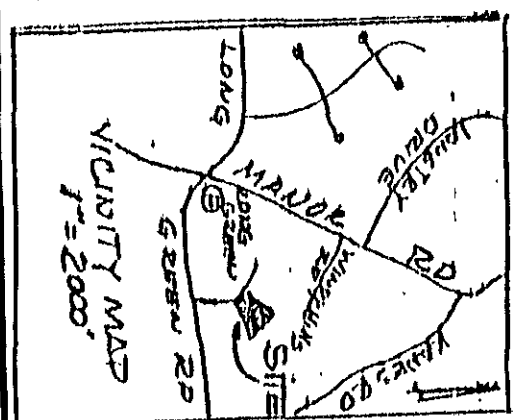
95-430-A

see pages 3 & 4 of the CHECKLIST for additional required information

LOT - 2



North
date: 5/2/85
prepared by: WALI HASAN
Scale of Drawing: 1" = 50'



LOCATION INFORMATION

Election District: 11
Councilmanic District: 6

7-200' scale map: NE-17-E

Zoning: RE-5

PETITIONERS
EXHIBIT 1

SEWER: ☐ WATER: ☒
Chesapeake Bay Critical Area: ☐
Prior Zoning Hearing: NONE

Zoning Office USE ONLY!

reviewed by: ITEM # CASE#

WALI HASAN 424



95-430-A

424

**PETITIONER'S
EXHIBIT 2**

UNRECORDED



95-430-A

424

05/24/95

08:07

516 887 3890

3A

019



95-430-A

424

05/24/95

05/24/95

08:02

516 887 3890

3A

016



95-430-A

428

05/24/95

08:01

516 887 3890

3A

015



95-430-A

428



95-430-A

424

ENCLOSURE



95-430-A

424

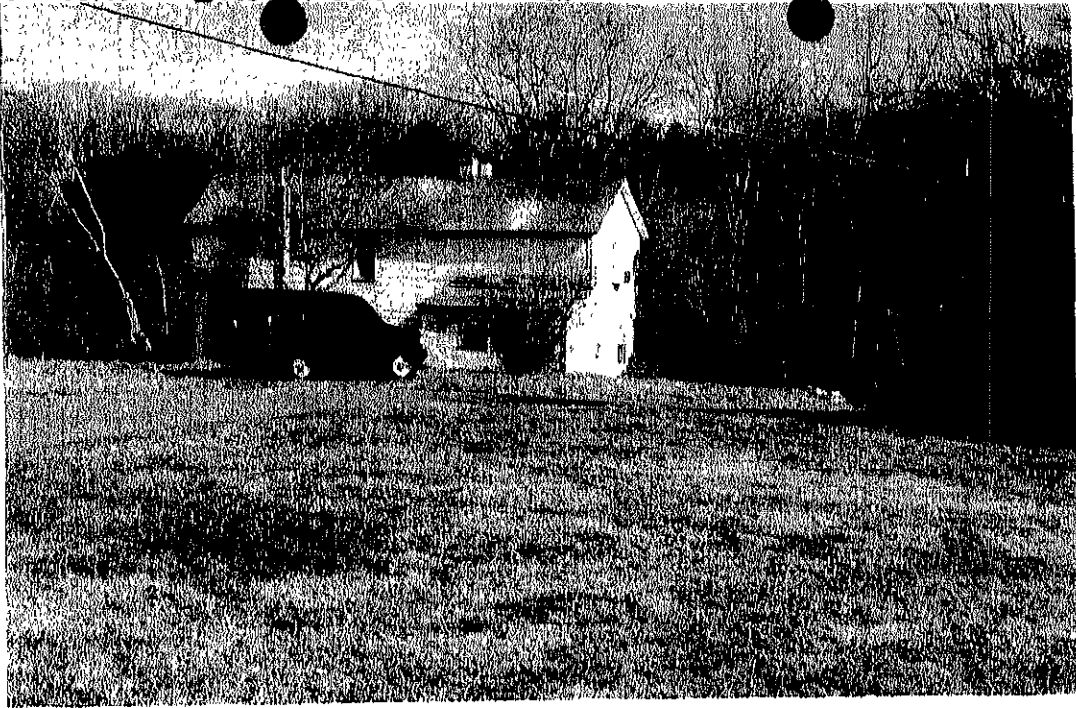
05/24/95

08:09

516 887 3890

3A

020



95-430-A

424

05/24/95

07:46

516 987 3890

3A

003



95-430-A

424

05/24/95

08:08

518 887 3890

3A

018



95-430-A

424

SEARCHED INDEXED

05/24/95

07:53

516 887 3890

3A

010



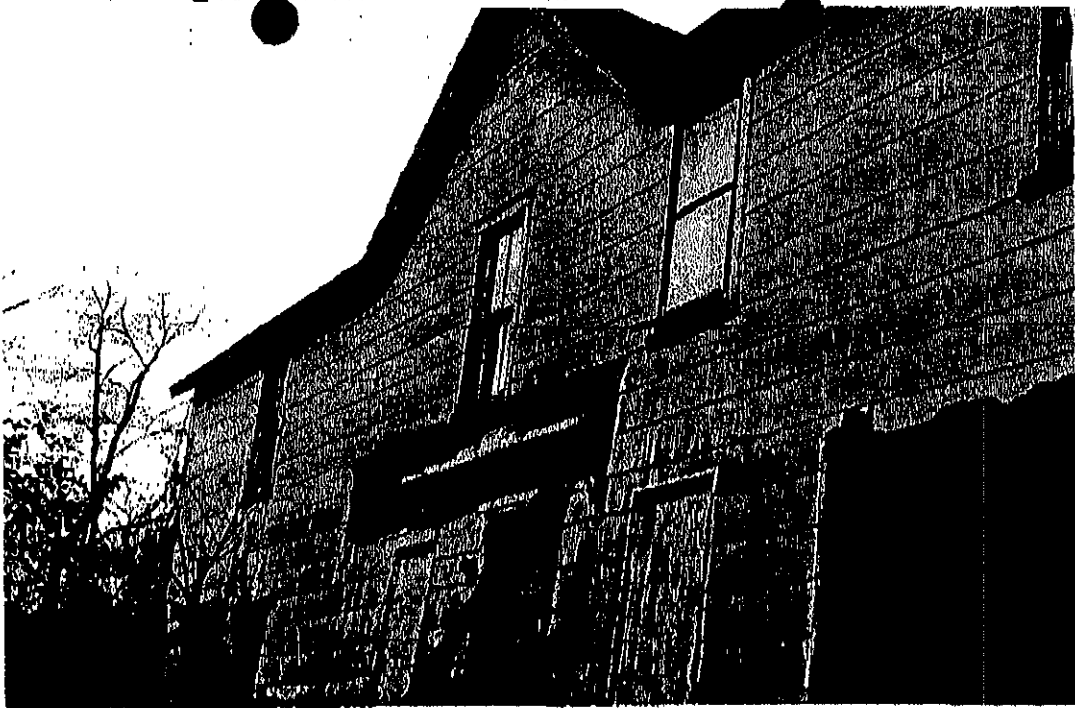
95-430-A

424



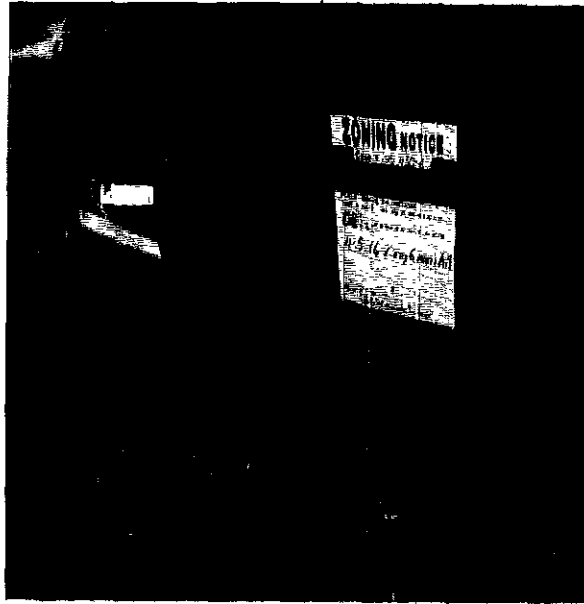
95-430-A

424

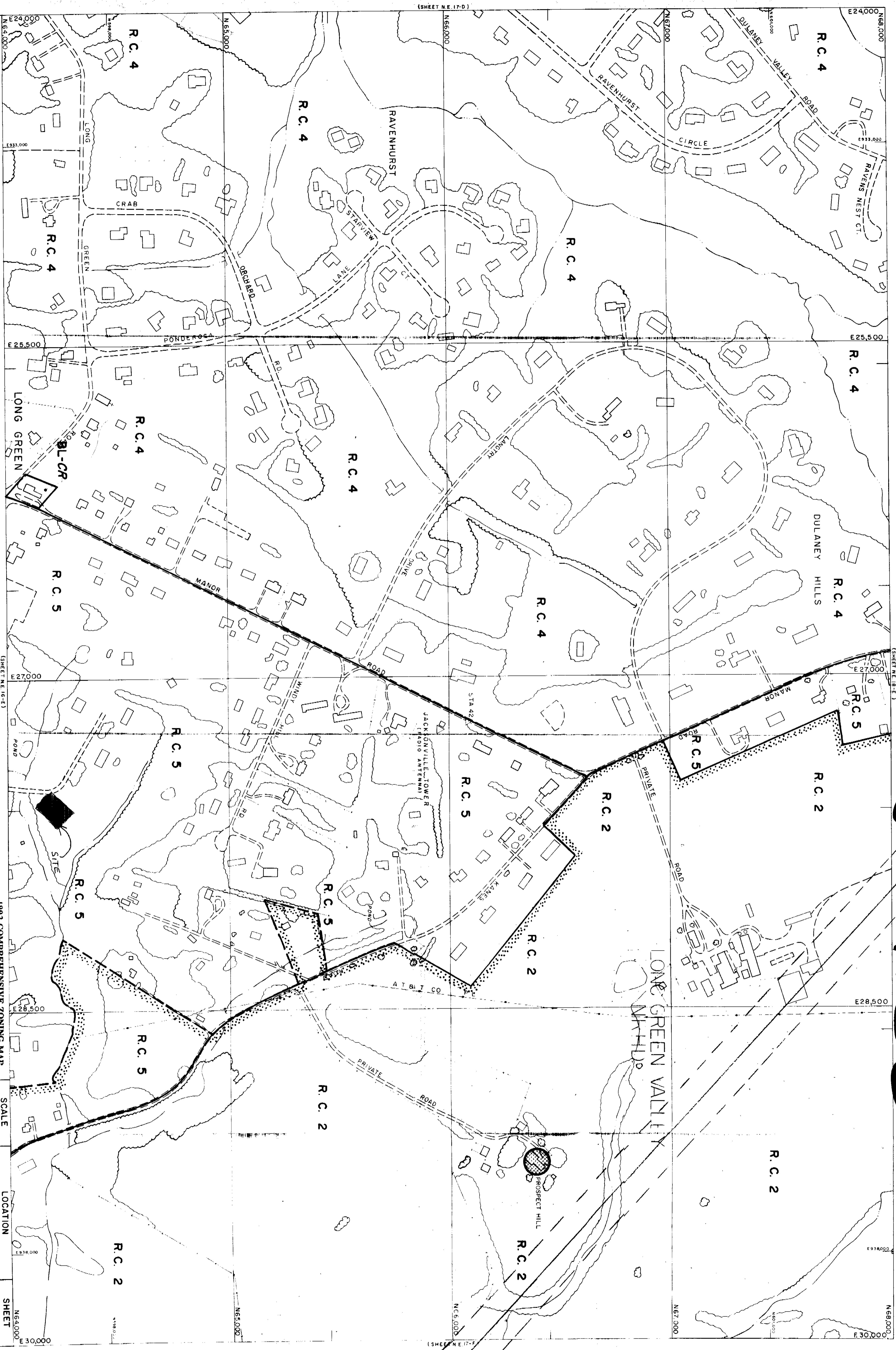


95-430-A

424



A-034-56



U-SE UU-SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TO CORRECT PHOTOGRAPHIC ERRORS
BY BUCHART-HORN, INC. BALTIMORE, MD 21210

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

William A. Howard
Chairman, County Council

SCALE	1" = 200'
DATE OF PHOTOGRAPHY	JANUARY 1986
LOCATION	LONG GREEN
SHEET	N. E 17-E

424

MICROFILMED



95-430-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	441000714MED	N.E.
DATE OF PHOTOGRAPHY JANUARY 1952	LONG GREEN	17-E

10

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 6/18/95
Posted for: Vali Hasan
Petitioner: Vali Hasan
Location of property: 4536 Long Green Rd.
Location of Sign: Long Green Rd. property being zoned
Remarks: None
Posted by: [Signature] Date of return: 6/19/95
Number of Signs: 1

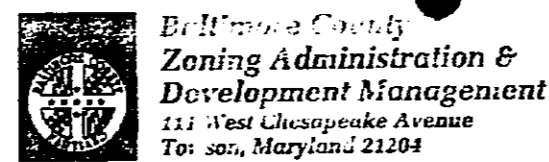
CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/18, 1995
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/18, 1995

THE JEFFERSONIAN

A. H. Harrison
LEGAL AD. TOWSON
Publisher

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Case Number: 95-430-A (Item 424)
4536 Long Green Road
N/S Long Green Road, 1350' +/- E of c/l Manor Road
11th Election District - 6th Councilmanic
Legal Owner(s): 7777
Contract Purchaser(s): Vali Hasan
HEARING: TUESDAY, JUNE 27, 1995 at 9:00 a.m. in Room 118, Old Courthouse.
Variance to permit a lot line setback of 30 feet in lieu of the required 50 feet.
LAWRENCE E. SCHMIDT, Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible; for special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3391.
6/19 June 8.



receipt
95-430-A
Account: R-001-8150
Number: JLM
Date: 5-24-95
VALI HASAN 4536 LONG GREEN RD.
VAR. (010) 50.00
POSTING (080) 35.00
85.00
CK#0157
31A33800474104RC 165.00
56 004103F005 14 95
Please Make Checks Payable To: Baltimore County
Casher Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

[Signature]
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 424
Petitioner: KIT AND S. VALI HASAN
Location: 4536 LONG GREEN RD LONG GREEN RD 21202
PLEASE FORWARD ADVERTISING BILL TO:
NAME: KIM HASAN
ADDRESS: 82-01 107 AVE OZONE PARK
NEW YORK 11416
PHONE NUMBER: 718-835-0322 OR 410-625-0007

AJ:qgs

(Revised 04/99/93)

TO: PETERSON PUBLISHING COMPANY
June 8, 1995 Issue - Jeffersonian

Please forward billing to:

Vali Hasan
135 - 137 W. North Avenue
Baltimore MD 21201
625-0007

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-430-A (Item 424)
4536 Long Green Road
N/S Long Green Road, 1350' +/- E of c/l Manor Road
11th Election District - 6th Councilmanic
Legal Owner(s): 7777
Contract Purchaser(s): Vali Hasan
HEARING: TUESDAY, JUNE 27, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to permit a lot line setback of 30 feet in lieu of the required 50 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 1, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-430-A (Item 424)
4536 Long Green Road
N/S Long Green Road, 1350' +/- E of c/l Manor Road
11th Election District - 6th Councilmanic
Legal Owner(s): 7777
Contract Purchaser(s): Vali Hasan
HEARING: TUESDAY, JUNE 27, 1995 at 9:00 a.m. in Room 118, Old Courthouse.
Variance to permit a lot line setback of 30 feet in lieu of the required 50 feet.

[Signature]

Arnold Jablon
Director

cc: Vali Hasan

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 20, 1995

Mr. Vali Hasan
80-01 101 Avenue
Ozone Park, New York 11416

RE: Item No.: 424
Case No.: 95-430-A
Petitioner: Vali Hasan

Dear Mr. Hasan:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 25, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
[Signature]
W. Carl Richards, Jr.
Zoning Supervisor

MCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM DATE: June 15, 1995

FROM: Pat Keller, Director, OP2

SUBJECT: 4536 Long Green Road

INFORMATION:

Item Number: 424
Petitioner: Vali Hasan
Property Size: _____
Zoning: RC-5
Requested Action: Variance
Hearing Date: 6/27/95

SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to permit a setback of 35' in lieu of the required 50'.

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject variance.

Prepared by: [Signature]

Division Chief: [Signature]

PK/JL

ITEM424/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director DATE: June 13, 1995

Zoning Administration and Development Management

FROM: J. Lawrence Pilson, DEPRM

SUBJECT: Zoning Item #424 - Vali Hasan
4536 Long Green Road
Zoning Advisory Committee Meeting of June 5, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Ground Water Management

Soil percolation tests have been conducted. The replacement well has not been drilled. Prior to the issuance of the building permit, a new well must be drilled or a variance must be obtained to keep the well less than 30 ft. from the dwelling.

For additional information, Mr. Thomas Ernst may be reached at 887-2762.

JLP:TE:sp

VALI/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: June 12, 1995
Zoning Administration and Development Management
FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section
RE: Zoning Advisory Committee Meeting
for June 12, 1995
Items 420, 421, 424, and 426

The Developers Engineering Section has reviewed
the subject zoning item and we have no comments.

RWB:ew

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 06/08/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JUNE 5, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed
by this Bureau and the comments below are applicable and required to
be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 420, 421, 424 AND 427.

RECEIVED
JUN 9 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F



Printed on Recycled Paper



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 424 (JCM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to
approval as it does not access a State roadway and is not effected by any State Highway
Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: May 25, 1995
TO: Hearing Officer
FROM: Joseph C. Merrey
ZADM, Planner I
SUBJECT: Item #424
4536 Long Green Road

Applicant advised that legal owner must sign. Mr. Hasan advised that
he will be legal owner prior to hearing and he will sign at that time.

JCM:scj

PETITION PROBLEMS
AGENDA OF JUNE 5, 1995

#420 — JRF

- Notary section is incorrect.

#421 — MJK

- Front of petition form has one signature; back of petition form has two
signatures. One or two legal owners — which is correct?

#424 — JCM

- No legal owner's name, signature, address, telephone number on petition
form. (See JCM's memo in file.)

#426 — JJS

- Zoning on top of petition form does not agree with zoning on folder.

#427 — JJS

- Need typed or printed name and title of person signing for legal owner.

RE: PETITION FOR VARIANCE
4536 Long Green Road, N/S Long Green Rd.
1350' +/- E of c/l Manor Road, 11th
Election District, 6th Councilmanic
Legal Owner(s): ???
Contract Purchaser(s): Vali Hasan
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-430-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-
captioned matter. Notice should be sent of any hearing dates or other
proceedings in this matter and of the passage of any preliminary or
final order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of June, 1995, a copy of
the foregoing Entry of Appearance was mailed to Vali Hasan, 80-01 101
Avenue, Ozone Park, NY 11416, Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 4536 LONG GREEN
SUBDIVISION: KARL PEINERTEN JR. PLAT
[Plat: block 31, lot 5, 1st section]
OWNER: JOHN H. TRAYLOR

95-430-A

LOT-2

LOT-5

PRIVATE ROAD

Scale of Drawing: 1"=50'

North

Scale: 1"=125'

prepared by: VALI HASAN

LOCATION INFORMATION

Election District: 11
Councilmanic District: 6
Zoning: RE-5
Zoning: 108900
SEWER: ☐
WATER: ☐
Prior Zoning hearings: NONE

Zoning Office USE ONLY!
reviewed by: JCM
ITEM #: 424
CASE#:

95-430-A



95-430-A
424

PETITIONER'S
EXHIBIT 2



95-430-A
424



95-430-A
424



95-430-A
424



95-430-A
424

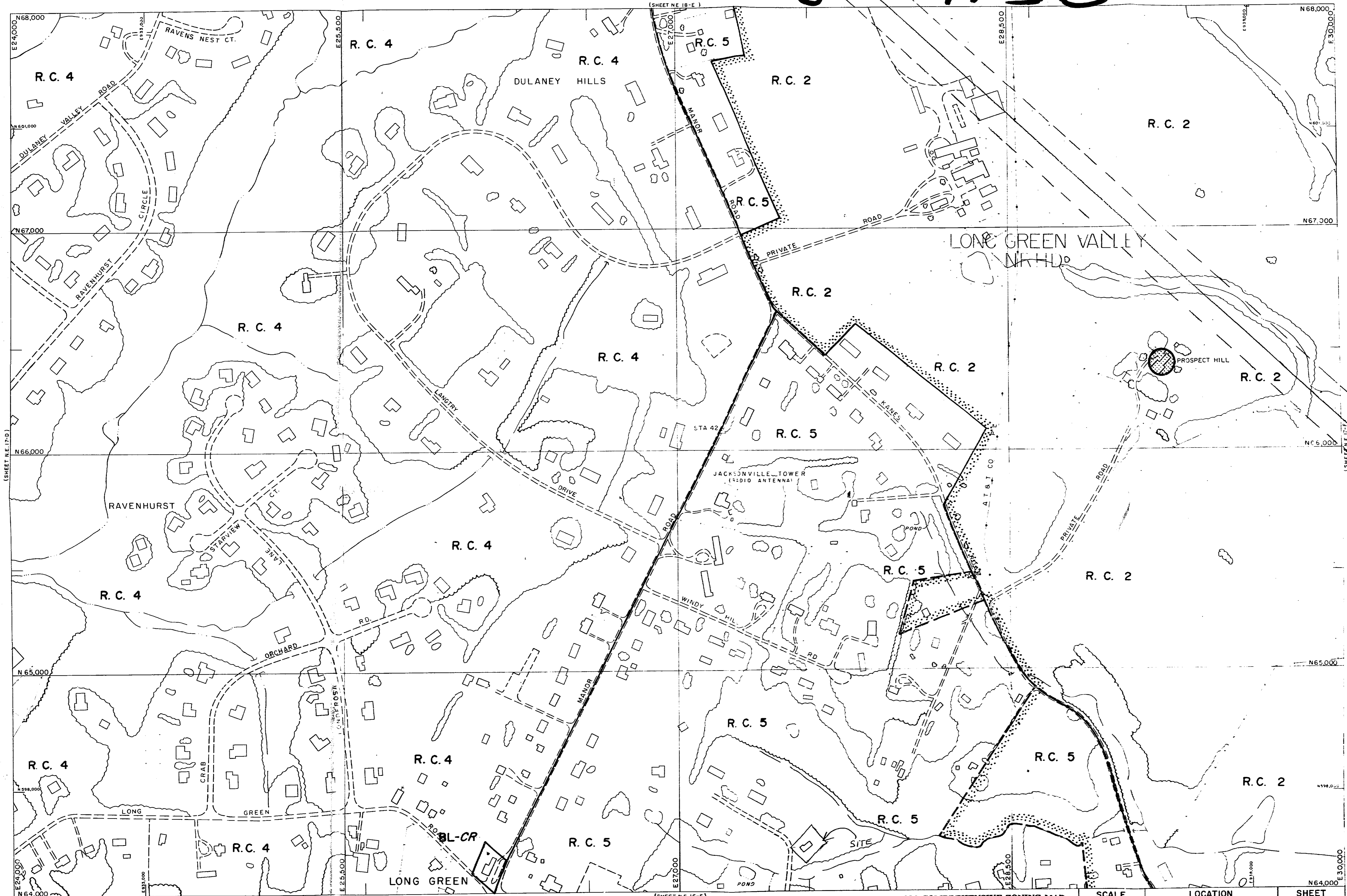


95-430-A
424



95-430-A
424

95-430-A



U-SE UU-SW

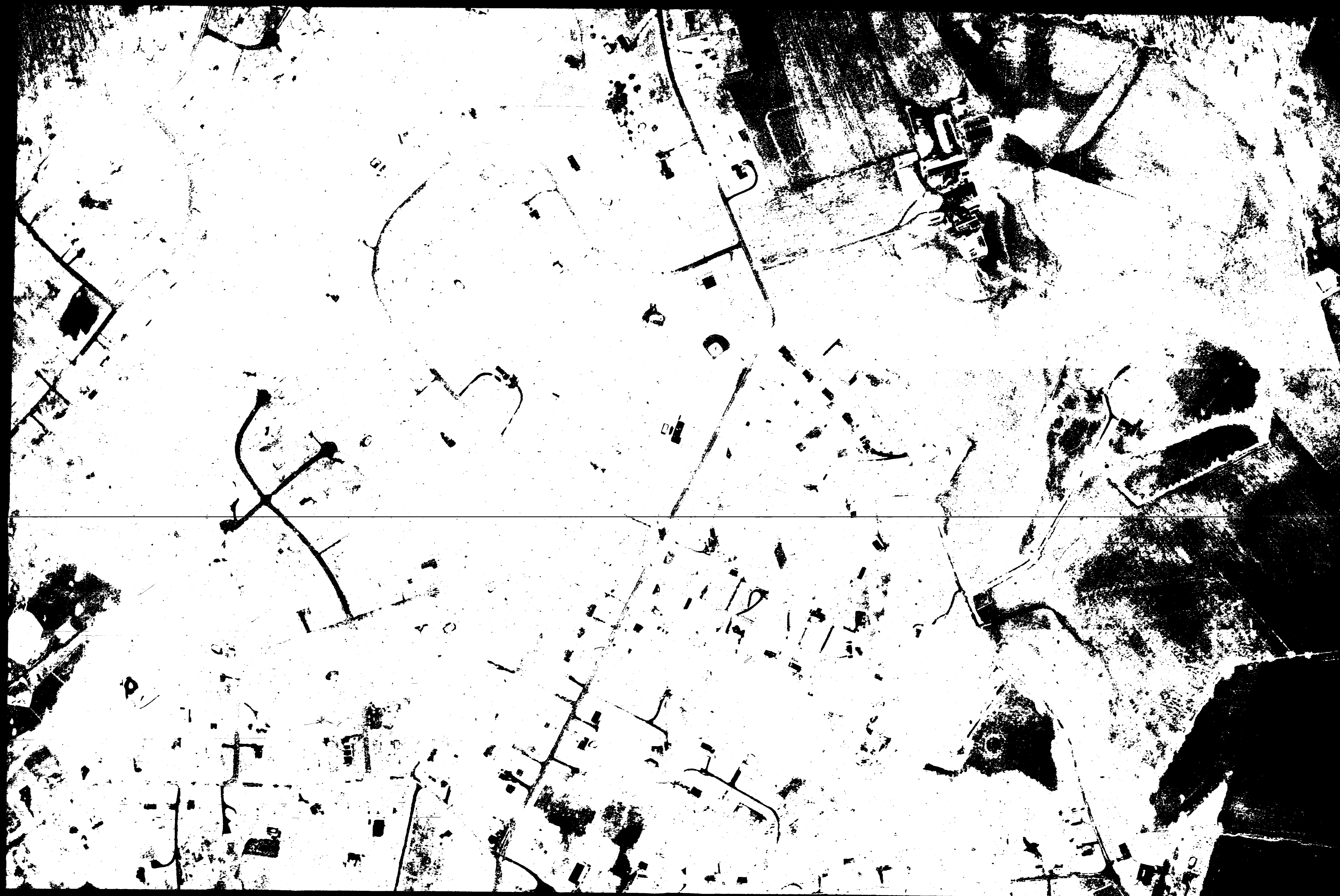
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
William A. Howard
Chairman, County Council

SCALE	LOCATION	SHEET
1" = 200' ±	LONG GREEN	N. E.
DATE OF PHOTOGRAPHY JANUARY 1986		17-E

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

424



95-430-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY	LONG GREEN	N.E. 17-E
JANUARY 1966		